IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.867 OF 2006

Abhijit Vasant Bhor ..Applicant
V/s
The State of Maharashtra & Anr. ..Respondent.

Mr. C.K. Pendse, Advocate for the applicant.
Mrs. M.M. Deshmukh, APP for the State.
Miss. C.V. Pawar, Advocate for respodnent No.1.

CORAM : J.H. BHATIA, J.

DATE : 17TH APRIL, 2007.

P.C.

. Heard Mr.Pendse, learned Counsel for the applicant and Ms. Pawar, learned Counsel for respondent No.2. Perused the Roznama of the trial Court.

2. According to the applicant, who is original complainant, he had sold his share in a partnership firm to respondent No.2 for which he had issued three cheques of Rs. 2.55 lakhs. As the cheques were

dishonoured, after issuing notice he filed a complaint, which came to be registered as Criminal Case No.1973/1995 in the Court of J.M.F.C., Thane. For a period of four and half years he was prosecuting the matter. From June, 1996 for a long time the accused was

absent and thus warrants were issued against him. For about five years he did not get any intimation from his Counsel. He was under the impression that the matter was being attended by his Counsel. In 2005 he made inquiry with his Counsel but he did not get any satisfactory reply. After thorough search of the record in May 2006, he came to know that the complaint was dismissed in default on 24/5/2002 and thereafter he got certified copy and came to this Court. In these circumstances, he seeks condonation of delay of four years and three months.

3. After going through the rozanama of the trial Court and reasons given in the application, I am satisfied that there were just and reasonable grounds for delay.

4. Therefore, the application is allowed. Delay is condoned.

(J.H. BHATIA, J.)

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4351 OF 2006

Abhijit Vasant Bhor ..Applicant
V/s
The State of Maharashtra & Anr. ..Respondent.

Mr. C.K. Pendse, Advocate for the applicant.
Mrs. M.M. Deshmukh, APP for the State.
Miss. C.V. Pawar, Advocate for respondent No.1.

CORAM : J.H. BHATIA, J.

DATE : 17TH APRIL, 2007.

P.C.

. Criminal Application No. 4351/2006 be listed for admission. S.O. one week.

(J.H. BHATIA, J.)